



05-CV-05575-ORD

HONORABLE RONALD B. LEIGHTON

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CLERK U.S. DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT TACOMA BY DEPUTY	

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DOUGLAS WOOD and SANDRA
KARLSVIK, husband and wife,

Plaintiffs,

v.

KITSAP COUNTY; WEST SOUND
NARCOTICS ENFORCEMENT TEAM;
OFFICER MATTHEW DOUGIL (WestNET);
GIG HARBOR POLICE DEPARTMENT;
DETECTIVE JOHN DOE SCHUSTER
(WestNET) DETECTIVE JOHN HALSTED
(POULSBO POLICE DEPT, WestNET, Badge
#606); DETECTIVE G.R. MARS (WSP
STATEWIDE INCIDENT RESPONSE
TEAM, Badge #685); DETECTIVE JOHN
DOE WILSON and JOHN DOES 1-25

Defendants.

No. . C05-5575RBL

**STIPULATED PROTECTIVE
ORDER**

I. STIPULATION

COME NOW the parties, by and through Mark Leemon, Attorney for Plaintiff's
DOUGLAS WOOD and SANDRA KARLSVIK, husband and wife, and Robert M. McKenna,
Attorney General, and Jeffrey D. Stier, Assistant Attorney General, attorneys for Washington

1 State Patrol Defendants DETECTIVE G.R. MARS (WSP STATEWIDE INCIDENT
2 RESPONSE TEAM, Badge #685); DETECTIVE JOHN DOE WILSON (WSP Defendants)
3 and hereby stipulate and agree to the entry of this Protective Order.

4 The parties agree that information regarding the Statewide Incidence Response Team
5 (SIRT), now Special Weapons and Tactics Team (SWAT) requested by Plaintiffs in this matter
6 may contain confidential information of a sensitive nature, tactical or otherwise, where
7 dissemination of the same may jeopardize the safety and/or health of SWAT personnel. As such,
8 the parties hereto do stipulate and agree to the terms set forth in the following Protective Order.
9

10 STIPULATED TO:

11 LEEMON + ROYER PLLC

ROB MCKENNA
Attorney General

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13
14 /s/ Mark Leemon
MARK LEEMON, WSBA #5005
15 Counsel for Plaintiffs

/s/ Jeffrey D. Stier
JEFFREY D. STIER, WSBA No. 6911
Assistant Attorney General
Attorneys for WSP Defendants

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17 II. PROTECTIVE ORDER

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19 THIS MATTER having come on regularly before the court on the parties' stipulation, and
20 plaintiffs appearing by and through their attorneys, Mark Leemon, and WSP Defendants
21 appearing by and through their attorneys Robert M. McKenna, Attorney General, and Jeffrey D.
22 Stier, Assistant Attorney General; and the Court having considered the records and files herein
23 and in all things being fully advised, this Court does hereby ORDER, ADJUDGE and DECREE
24 as follows:

25 1. Certain records sought by parties in discovery regarding the Statewide Incidence
26 Response Team (SIRT), now Special Weapons and Tactics Team (SWAT) requested by Plaintiffs

1 in this matter may contain confidential information of a sensitive nature, tactical or otherwise,
 2 where dissemination of the same may jeopardize the safety and/or health of SWAT personnel..
 3 However, disclosure of these records and information is necessary between the parties for the
 4 purposes of this lawsuit.

5 2. WSP Defendants may designate a Statewide Incidence Response Team (SIRT),
 6 now Special Weapons and Tactics Team (SWAT) document as "confidential" if the party has a
 7 reasonable basis to believe the document contains confidential information of a sensitive nature,
 8 tactical or otherwise. If plaintiffs disagree with the designation that party may move to remove
 9 the designation. Unless and until the Court rules otherwise, any document designated confidential
 10 by WSP Defendants shall be treated as confidential as provided in this order.

11 3. In the case of documents and information contained therein, designation of the
 12 document as "confidential" shall be made by clearly identifying with particularity the portion of
 13 document(s) designated as confidential and marking **"CONFIDENTIAL DOCUMENT -**
 14 **PURSUANT TO PROTECTIVE ORDER"**.

15 4. The contents of any confidential portion of any document produced and copied
 16 pursuant to this order shall not be disclosed in any manner or form to any person and/or entities
 17 other than to the parties' attorneys, the attorneys' staff, and the parties' experts.

18 5. All records produced or disclosed shall be used solely for the purpose of this
 19 litigation. The parties, through their attorneys, may utilize the confidential and/or privileged
 20 information under seal in accordance with the Clerk's procedures.

21 6. The parties shall be allowed to use the aforementioned documents in depositions
 22 of parties and witnesses, including expert witnesses in this case. Any deposition transcripts or
 23 exhibits containing protected information which are filed in Court shall be marked, on the face of
 24 the document(s), **"CONFIDENTIAL DOCUMENT - PURSUANT TO PROTECTIVE**
 25 **ORDER"** and filed under seal in accordance with the Clerk's procedures. At the conclusion of
 26

1 this litigation, all confidential documents produced in this litigation will be destroyed by all
2 parties (but may be retained by counsel).

3 DONE IN OPEN COURT this 13th day of September, 2007.
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7 HON. RONALD B. LEIGHTON
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10 Presented by:

11 ROBERT M. MCKENNA
12 Attorney General
13

14 /s/ Jeffrey D. Stier
15 JEFFREY D. STIER, WSBA No. 6911
16 Assistant Attorney General
Attorneys for WSP Defendants

17 Copy Received, Notice of Presentation Waived:

18 LEEMON + ROYER PLLC
19

20 /s/ Mark Leemon
21 MARK LEEMON, WSBA #5005
22 Counsel for Plaintiffs
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